

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**MOTION OF DEBTORS AND DEBTORS-IN-POSSESSION FOR AN
ORDER (A) SCHEDULING EXPEDITED HEARING ON CERTAIN FIRST DAY
MOTIONS AND (B) APPROVING FORM AND MANNER OF NOTICE THEREOF**

The above-captioned debtors and debtors-in-possession (each a “Debtor” and collectively, the “Debtors”), in the above-captioned Chapter 11 cases (the “Cases”), hereby move (the “Motion”) for entry of an order: (i) scheduling an expedited hearing to consider certain first day motions filed by the Debtors; and (ii) approving the form and manner of notice thereof. In support of the Motion, the Debtors respectfully represent as follows:

JURISDICTION AND VENUE

1. The Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334.

Consideration of the Motion is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).

2. Venue is proper in this District pursuant to 28 U.S.C. §§ 1408 and 1409.

RELIEF REQUESTED

3. By this Motion, the Debtors seek the entry of an order: (i) scheduling an expedited hearing to consider certain first day motions filed by the Debtors; and (ii) approving the form and manner of notice thereof.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Squirrels Research Labs LLC (9310), case no. 21-61491 and The Midwest Data Company LLC (1213), case no. 21-61492.

PENDING REQUESTS FOR RELIEF

4. Contemporaneously with the commencement of these Cases on the Petition Date, the Debtors filed, among other things, the following motions and applications (collectively, the “First Day Motions”):

<u>Motion Or Application</u>	<u>Nature of Relief Requested</u>
Motion of Debtors and Debtors-in-Possession For Joint Administration of Chapter 11 Cases Pursuant To Bankruptcy Rule 1015(b)	Order Granting Motion of Debtors and Debtors-in-Possession For Joint Administration of Chapter 11 Cases Pursuant To Bankruptcy Rule 1015(b)
Motion of Debtors for Interim and Final Orders: (I) Authorizing the Midwest Data Company LLC to Obtain Debtor in Possession Financing; (II) Modifying the Automatic Stay; (III) Approving DIP Loan and Security Agreement with Instantiation LLC; (IV) Setting Final Hearing; and (V) Granting Related Relief	Interim Order: (I) Authorizing Secured Postpetition Financing on a Superpriority Basis Pursuant to Section 364 of the Bankruptcy Code; (II) Modifying the Automatic Stay; and (III) Granting Related Relief
Motion of Debtors and Debtors-In-Possession For Interim and Final Orders: (A) Prohibiting Utilities From Altering, Refusing or Discontinuing Services to, or Discriminating Against, the Debtors on Account of Prepetition Invoices; (B) Determining That the Utilities are Adequately Assured of Future Payment; and (C) Establishing Procedures For Determining Requests For Additional Assurance	Order: (A) Prohibiting Utilities From Altering, Refusing or Discontinuing Services to, or Discriminating Against, the Debtors on Account of Prepetition Invoices; (B) Determining That the Utilities are Adequately Assured of Future Payment; and (C) Establishing Procedures For Determining Requests For Additional Assurance

5. As described in detail in each of the First Day Motions, the relief requested in the First Day Motions is essential to permit the Debtors to transition smoothly into Chapter 11. In addition, the relief requested in the First Day Motions will greatly assist in the administration of the Cases and the preservation of the Debtors’ value, and will help to stabilize the Debtors’ operations. Any delays in the consideration of the First Day Motions would hinder the Debtors’

ability to transition into Chapter 11 smoothly and preserve and maximize value for all stakeholders in these Cases.

6. Accordingly, the Debtors believe that the First Day Motions involve matters that require an expedited, emergency hearing and respectfully request that the Court schedule a hearing on all of the First Day Motions to be conducted on the Petition Date, or as soon as possible thereafter. To that end, the Debtors understand that the Court has reserved **2:00 p.m. (EST) on, December 1, 2021**, for such a hearing.

NOTICE

7. The Debtors propose to serve a notice of the filing of the First Day Motions and the expedited hearing thereon, substantially in the form attached hereto as Exhibit A and incorporated herein by reference (the “First Day Notice”), via email, facsimile, overnight delivery or other express mail service as soon as practicable after the entry of an order approving the First Day Notice or as otherwise instructed by the Court on the following parties (collectively, the “First Day Notice Parties”): (a) the Office of the United States Trustee for the Northern District of Ohio; (b) Avnet, Squirrels Research Labs LLC’s secured lender; (c) each of the Debtor’s top twenty unsecured creditors; (d) Instantiation LLC; and (e) the Taxing Authorities. Because the list of other parties potentially affected by the First Day Motions is necessarily large, serving notice of all First Day Motions on all such parties is impracticable and is a wasteful use of the Debtors’ limited resources. Therefore, the Debtors request that service of notice on the First Day Notice Parties in the form and manner described in this paragraph be deemed adequate and appropriate under the circumstances and in full compliance with the applicable provisions of the Bankruptcy

Code, the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) and the Local Bankruptcy Rules.

NO PRIOR REQUEST

8. No prior request for the relief sought in this Motion has been made to this or any other Court.

CONCLUSION

WHEREFORE, the Debtors respectfully request that the Court (a) enter an order substantially in the form annexed hereto as Exhibit B, granting the relief requested herein; and (b) grant such other and further relief as the Court may deem proper.

Dated: November 23, 2021

Respectfully submitted,

/s/ Julie K. Zurn
Marc B. Merklin (0018195)
Julie K. Zurn (0066391)
BROUSE McDOWELL, LPA
388 S. Main Street, Suite 500
Akron, Ohio 44311
Telephone: (330) 535-5711
Facsimile: (330) 253-8601
mmerklin@brouse.com
jzurn@brouse.com

*Proposed Counsel for the
Debtors and Debtors-in-Possession*

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